

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:12CV510-MOC-DSC**

CLARK MATERIAL HANDLING)
COMPANY,)
)
Plaintiff,)
)
v.)
)
TOYOTA MATERIAL HANDLING)
U.S.A., INC.,)
)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court on the “Plaintiff’s Motion to Compel [Responses to Interrogatories and Production of Documents]” (document #32) filed May 1, 2013 and the parties’ associated briefs and exhibits. See documents ## 32-37. This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1), and is now ripe for the Court’s consideration.

For the reasons set forth in Plaintiff’s Motion and briefs, the Motion is granted.

IT IS THEREFORE ORDERED that:

1. Except as ordered below, Defendant shall respond fully and without objection to Plaintiff’s Interrogatories and Requests for Production of Documents within fourteen (14) days of this Order.
2. Within that same time period, the parties shall submit a proposed consent protective order to the Court. If the parties are unable to agree, each party shall submit its proposed protective order.

3. Within that same time period, Defendant shall prepare and serve on Plaintiff a privilege log identifying all documents and/or information that are withheld on the basis of attorney-client privilege or attorney-work-product.

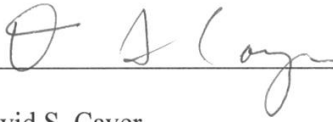
4. If after conferring, the parties are unable to resolve any differences concerning items in the privilege log, Plaintiff may renew its Motion.

5. In the event that Plaintiff renews its Motion, Defendant shall submit, along with its response brief, an updated privilege log with copies of all documents for in camera review by the Court.

6. The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Max O. Cogburn, Jr..

SO ORDERED.

Signed: May 29, 2013



David S. Cayer
United States Magistrate Judge

